

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ANTHONY C. KENNEY,
Plaintiff,**

v.

**ADMINISTRATIVE RECORDS
DEPARTMENT OF PUBLIC SAFETY,
RECORDS DEPARTMENT,
Defendants.**

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3:15-CV-2260-D

ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted..

It is ordered that plaintiff's request for leave to proceed *in forma pauperis* is denied, and plaintiff is barred from filing future *in forma pauperis* actions in this court without first seeking leave from a district or magistrate judge to file the action.

Plaintiff is warned that the continued submission of frivolous actions and documents may result in the imposition of additional sanctions, including monetary penalties.

The court certifies that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). In support of this finding, the court adopts and incorporates by reference the magistrate judge's findings, conclusions, and recommendation. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997). Based on the findings and recommendation, the court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir.

1983). If plaintiff appeals, he may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the clerk of the court, United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

SO ORDERED.

August 20, 2015.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE